

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

FILED

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CLERK, US DISTRICT COURT  
WESTERN DISTRICT OF TEXASBY             
DEPUTY

TRAVIS CO. JOINT VENTURE, ROGER )  
C. HILL, SR., AND BRUCE HILL, )

Plaintiffs, )

VS. )

CIVIL ACTION NO. SA-06-CA-0146-FB

HENNESSEE GROUP LLC, ELIZABETH )  
LEE HENNESSEE and CHARLES J. )  
GRADANTE, )

Defendants. )

**DEFENDANTS' UNOPPOSED MOTION FOR 10-DAY  
EXTENSION OF TIME TO RESPOND TO COMPLAINT**

Defendants HENNESSEE GROUP LLC, ELIZABETH LEE HENNESSEE and CHARLES GRADANTE ("Defendants"), by and through their counsel, move, pursuant to Local Rule CV-7, for entry of an Order, extending by 10-days to and including March 6, 2006, to answer, move or otherwise respond to the Complaint. In support of this Motion, Defendants state:

1. On or about December 30, 2005, Plaintiffs filed their Petition against Defendants for (1) negligence, (2) negligent misrepresentation, and (3) breach of fiduciary duty, in the 131st Judicial District Court of Bexar County, Texas.
2. On or about February 15, 2006, Defendants timely filed a Notice of Removal within the 30-day time period required by 28 U.S.C. §1446(b).
3. Defendants' answer, motion or other response to the Complaint is due February 22, 2006, which time has not expired.

2


4. Additional time is necessary to prepare and file an adequate response, and the requested extension is not sought for purposes of undue delay.

5. On February 15, 2006, the parties conferred and counsel for Plaintiff agreed to the requested 10-day extension.

WHEREFORE, Defendants pray for entry of an Order, extending by 10-days, to and including March 6, 2006, the time within which they may answer, move or otherwise respond to the Complaint.

Respectfully submitted,

JENKENS & GILCHRIST  
A Professional Corporation

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Attorneys for Defendants HENNESSEE  
GROUP LLC, ELIZABETH LEE  
HENNESSEE AND CHARLES  
GRADANTE

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been forwarded to the following counsel of record by certified mail, return receipt requested, on this 16<sup>th</sup> day of February, 2006:

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SEAGAL V. WHEATLEY *Steve H. Ramon*  
*by permission*